

In the Matter of  
GlobeComm Systems, Inc.  
Application for Modification  
of Earth Station License

Call Sign: E990402

Released: May 16, 2005

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3. The 13.75-14.0 GHz band is a shared Government/non-Government band.<sup>5</sup> In June 2002, the Satellite Division (Division) dismissed Globecom's modification application without prejudice, based on a letter from the National Telecommunications and Information Administration (NTIA) concluding that Globecom's proposed communications with Hispasat 1C would not adequately protect U.S. Navy radiolocation receivers.<sup>6</sup> However, the Division has renewed Globecom's STA several times, and Globecom continues to operate at less than 68 dBW pursuant to STA.<sup>7</sup>

4. In its petition for reconsideration, Globecom argues that NTIA's analysis did not adequately take into account the terrain surrounding Globecom's Hauppauge, New York earth station. According to Globecom, when that terrain is considered, its operations would adequately protect U.S. Navy radiolocation receivers.<sup>8</sup> Therefore, Globecom requests that the Division reinstate and grant its modification application.<sup>9</sup>

### III. DISCUSSION

5. We have reviewed the technical analysis in Globecom's petition and find that Globecom has now demonstrated that its proposed communications with Hispasat 1C at an EIRP of 72 dBW per carrier will adequately protect U.S. Navy radiolocation receivers.<sup>10</sup> We have coordinated Globecom's petition with NTIA, and NTIA agrees that Globecom's operations should not cause harmful interference to U.S. Navy operations. NTIA asks us, however, to require Globecom to provide a point of contact to the U.S. Navy, so that Globecom could cease operations immediately upon request from the U.S. Navy.<sup>11</sup> Therefore, we conclude that we can grant Globecom's petition for reconsideration and reinstate the modification application.<sup>12</sup>

### IV. ORDERING CLAUSES

6. Accordingly, IT IS ORDERED, pursuant to Sections 1.106 and 0.261 of the Commission's rules, 47 C.F.R. §§ 1.106, 0.261, that the Petition for Reconsideration filed by

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<sup>5</sup> See 47 C.F.R. § 2.106.

<sup>6</sup> Letter from Thomas S. Tycz, Chief, Satellite Division, Federal Communications Commission, to Jason S. Robert, Attorney for Globecom, dated June 28, 2002 (*June 28 Letter*).

<sup>7</sup> The Division most recently renewed Globecom's STA in March 2005. See SES-STA-20050323-00345. This STA will expire on June 12, 2005.

<sup>8</sup> Globecom Petition at 3.

<sup>9</sup> Globecom Petition at 3-4.

<sup>10</sup> Globecom Petition at Exhibit.

<sup>11</sup> Memo from Thomas F. Woods Jr., NTIA, to Kathryn S. Hosford, dated April 18, 2005.

<sup>12</sup> In a separate proceeding, we will determine whether Globecom's modification request raises any issues in addition to the Government/non-Government sharing issue addressed in this Order on Reconsideration.

Globecom Systems, Inc. IS GRANTED, and Application File No. SES-MOD-20000420-00658 relating to earth station call sign E990402 IS REINSTATED.

FEDERAL COMMUNICATIONS COMMISSION

Thomas S. Tycz  
Chief  
Satellite Division  
International Bureau